



Ontario
Ministry of
Labour

Women's
Bureau

Your rights as a worker in Ontario



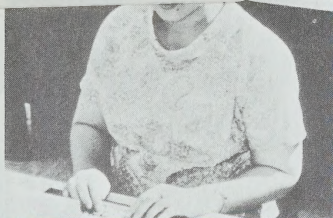
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Every worker in
Ontario has rights
and obligations
under the law.
This brochure
describes very
briefly the laws
you, as a woman,
should know.

The Women's Bureau has developed
this brochure in response to the
many requests we have had from
agencies and organizations requiring
basic job information relevant
and meaningful to new Canadians.

Can an employer refuse to hire me when I believe I have the qualifications?

Employers take many factors into consideration when they decide to hire or not to hire someone. An employer may not however, refuse to hire you because of your sex, marital status, religion, race, colour, the country you come from, your nationality, or age (if you are between 40 and 65). This is illegal under the Ontario Human Rights Code.

For more details, see the Women's Bureau brochure, Sex Discrimination in Employment, (English) and the Ontario Human Rights Commission brochure, The Ontario Human Rights Code.

If you think you have been refused a job for any of these reasons be sure to contact:

The Ontario Human Rights Commission
Ontario Ministry of Labour

What is the minimum wage?

Full or part time workers must be paid at least \$3.00 per hour. This is called the minimum wage. Here are some exceptions:

- if you serve liquor, the minimum wage is \$2.50 per hour;
- if you are a construction worker, the minimum wage is \$3.25;
- if you are a student under 18, the minimum wage is \$2.15;
- if you are a trainee, the minimum wage is \$2.90 during the first month of employment, and \$3.00 after the first month.

How many hours a day can I be required to work?

The normal number of hours by law is 8 hours per day or 48 hours a week. There are some exceptions. If you work in a retail store, for example, you can be required to work for 10 hours a day.

If you work more than 44 hours in a week you must be paid at least 1½ times your regular wage rate for each additional hour worked.

Each time you are paid you must receive from your employer a written statement showing the period of time for which wages are paid, the rate of wages and the total amount, a list of deductions, and the net amount being paid.

For every five hours of work, you must be given a meal period of at least one half hour.

How many holidays do I have each year?

By law, you have 7 holidays with pay: New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, and Christmas Day. You are eligible for a paid holiday if you work for 3 months immediately before the holiday, 12 of the 30 days preceding the holiday, and on your regular day of employment before and after the holiday.

You are also entitled to two weeks' vacation with pay after you have worked for an employer for 12 months. If you leave your job before working a full year, you should receive an additional amount of money equal to 4% of your total salary for the time worked. This is called vacation pay.

Does the law say
I must be paid
for work days I miss
when I am sick?

No. However, some companies have a "sick leave" plan. Ask your supervisor if your place of work has such a plan.

If I am doing the
same job as a man,
should I receive
the same pay?

Yes. It is illegal to pay a woman less than a man or vice versa, for substantially the same work done in the same place of work. Similarly, the kinds of allowances or fringe benefits provided for employees must be equal for both men and women e.g. company pension plans.

For details, see the Women's Bureau brochure, Ontario Labour Legislation of Interest to Working Women, or contact:

*The Employment Standards Branch
Ontario Ministry of Labour*

What is pregnancy leave and who is entitled to it?

If you have worked for an employer for 12 months and 11 weeks before the date your baby is to be born, you are entitled to an unpaid leave of absence of up to 17 weeks. This leave is called pregnancy leave. At the end of the 17 weeks you must be placed in the same, or comparable job at the same rate of pay.

For more information, see the Women's Bureau brochure Pregnancy Leave in Ontario (available in many languages), or contact the Employment Standards Branch.

During your pregnancy leave you may be eligible to receive Unemployment Insurance benefits. To find out if you qualify, contact your nearest Canada Employment Centre.

Are there any laws that protect me from being fired?

No. The law only states that you must be given written notice or pay in lieu of notice if you have been employed for at least three months. The amount of notice is related to the length of employment:

- if you have worked less than 2 years, you must be given 1 week's notice;
- 2 to 5 years, 2 weeks' notice;
- 5 to 10 years, 4 weeks' notice;
- 10 years or more, 8 weeks' notice.

For more information, contact the Employment Standards Branch.

If you believe you were fired because you are a woman, or because of your marital status, religion, race, colour, the country you come from, your nationality or age, contact the Ontario Human Rights Commission.

If you belong to a union, and feel that you have been fired without just cause, you may ask the union to investigate the situation.

I am a domestic worker.
Do all these laws protect
me too?

Many basic labour laws do not cover domestic workers. However, you are protected for equal pay, pregnancy leave, benefit plans, and termination of employment. The law also ensures that domestic workers are paid for work done. This is known as protection of wages.

Are there any regulations in Ontario that protect the health and safety of workers?

Yes. These regulations are included in The Occupational Health and Safety Act, 1978.

Are there any health and safety laws that specifically protect women workers?

No. Health and safety laws apply equally to men and women.

Can I refuse to work when I think it is dangerous?

Yes, provided you follow the procedures outlined in The Occupational Health and Safety Act, 1978.

You can obtain a copy of this act at your place of work, from your union representative, or by calling the Standards and Programs Branch of the Occupational Health and Safety Division in Toronto, at (416) 965-5533, (Zenith 59500), or your nearest district office of the Ministry of Labour.

What is a trade union?

A trade union is an organization of employees that negotiates agreements with employers on issues such as working conditions and rates of pay. Most trade unions have had their status officially recognized by the Ontario Labour Relations Board.

The agreement the union arranges with the employer is known as the collective agreement. The trade union works to protect the rights of the workers under the agreement and the Labour Relations Act. If you have a complaint or believe you have been treated unjustly, you should contact your union.

Who can join a trade union?

Every employee has the right to join a union in those industries covered by the Labour Relations Act or other similar special legislation. Domestics and agricultural workers are not covered.

Do I have to join a union?

Your membership in a union depends on the collective agreement at your work place. When you start your job, find out whether or not there is a union and what its membership requirements are.

If you believe you have been fired or discriminated against because you joined or tried to organize a union, you should contact the Labour Relations Board at 400 University Avenue, Toronto. (416) 965-4151.

All the offices that are named in this brochure are branches of the Ontario Ministry of Labour. The Ministry has district offices in the following cities:

	Area Code	Human Rights	Employment Standards	Occupational Health & Safety
Hamilton 1 West Ave. S. L8N 2R9	416	527-2951	527-4501	527-2951
Kenora 808 Robertson St. P9N 1X9	807	468-3128	468-3128	468-3128
Kingston 1055 Princess St. K7L 1H3	613	542-2853	542-2853	542-2853
Kitchener 824 King St. W. N2G 1G1	519	744-8101	744-8101	744-8101
London 205 Oxford St. E. N6A 5G6	519	439-3231	439-3231	439-3231
Ottawa 2197 Riverside Dr. K1H 7X3	613	523-7530	523-7530	523-7530
Sault Ste. Marie 390 Bay St. P6A 1X2	705	949-3331	949-3331	949-3331
St. Catharines 205 King St. L2R 3J5	416	682-7261	682-7261	682-7261
Sudbury 1538 LaSalle Blvd. P3A 1Z7	705	566-3071	566-3071	566-3071
Thunder Bay 435 James St. S. P7E 6E3	807	475-1693	475-1691	475-1691
Timmins 273 3rd Ave. P4N 1E2	705	267-6231	267-6231	267-6231
Toronto 400 University Ave. M7A 1T7	416	965-6841	965-5251	965-5533
Windsor 500 Ouellette Ave. N9A 1B3	519	256-3611	256-8278	256-8278



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